

Now, if that is great, beam me up, Mr. Speaker.

TRADE WITH CHINA

(Mr. BARRETT of Nebraska asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARRETT of Nebraska. Mr. Speaker, tomorrow the House will again debate the continuation of normal trade relations with China. This debate has become the whipping post on which to affix our concerns with a host of issues which we have affecting China.

Some opponents of trade with China, while doing a good job in publicizing the Chinese Government's atrocities, are short-sighted. So, we cease trading with China? Then what? Do we end diplomatic relations with China? Do we blockade China? Our relations are far, far too complicated to be lumped into a single vote on continuing normal trade relations with China.

The House should debate a comprehensive China bill that will give the American people and China full knowledge of the consequences of their behavior and what our response will be. I urge my colleagues to continue normal trade relations with China. We cannot burn our trade with China on the short-sighted assumption that China, a new China, will be born of its ashes.

TWO CHEERS FOR TITLE 9, WITH MORE TO COME

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, today is the 25th anniversary of a landmark civil rights statute. Title 9 is singularly responsible for remarkable progress in eliminating sex discrimination from athletic and sports programs in schools and colleges.

Two years before title 9's effective date, an estimated 50,000 men, but only 50 women, were attending college on athletic scholarships. Today, women account for \$137 million in Division I athletic scholarships but men get \$407 million. Way to go; but a long way to go, too.

Title 9 requires equal allocation between male and female athletes. There are very good reasons for insisting upon strict enforcement, and many of them have little to do with athletics. Girls who participate in sports are more likely to graduate from high school and from college and have less depression.

Surely these are reasons enough to restore enforcement funds for States that Congress ripped out of title 9 last year. For now, only two cheers for title 9, with more to come.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule

I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 5 p.m. today.

FEDERAL TORT CLAIMS CLARIFICATION ACT

Mr. HYDE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1901) to clarify that the protections of the Federal Tort Claims Act apply to the members and personnel of the National Gambling Impact Study Commission.

The Clerk read as follows:

H.R. 1901

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. APPLICABILITY OF FEDERAL TORT CLAIMS PROVISIONS.

Section 6 of the National Gambling Impact Study Commission Act (18 U.S.C. 1955 note) is amended by adding at the end the following:

“(e) APPLICABILITY OF FEDERAL TORT CLAIMS PROVISIONS.—For purposes of sections 1346(b) and 2401(b) and chapter 171 of title 28, United States Code, the Commission is a ‘Federal agency’ and each of the members and personnel of the Commission is an ‘employee of the Government’.”.

SEC. 2. CONSTRUCTION.

The amendment made by section 1 shall not be construed to imply that any commission is not a “Federal agency” or that any of the members or personnel of a commission is not an “employee of the Government” for purposes of sections 1346(b) and 2401(b) and chapter 171 of title 28, United States Code.

SEC. 3. EFFECTIVE DATE.

The amendment made by section 1 shall be effective as of August 3, 1996.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois [Mr. HYDE] and the gentleman from Massachusetts [Mr. FRANK] each will control 20 minutes.

The Chair recognizes the gentleman from Illinois [Mr. HYDE].

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the House considers H.R. 1901, a bill to clarify that the protections of the Federal Tort Claims Act apply to members and employees of the National Gambling Impact Study Commission.

Last year, we authorized the Commission to conduct a comprehensive 2-year study of the impact of gambling on the United States. The members of the commission have now been appointed and the commission held its first meeting last Friday. Two members of the commission have called me regarding their concerns about incurring personal liability as a result of their work on the commission.

Normally, under the Federal Tort Claims Act, when someone sues a Federal employee for acts occurring within the scope of his or her employment, the United States substitutes itself as the party, defends the action, and pays any judgment. I believe that the commission is covered under the FTCA because it is an independent establishment of the United States.

For that reason, I initially believed we could resolve this matter by an exchange of letters with the Department of Justice. After several weeks of study, the Department has not been able to come to a clear resolution of whether the commission is or is not covered by the FTCA. With the commission having already begun its work, I believe we must move forward with a legislative solution.

H.R. 1901 simply provides that for purposes of the Federal Tort Claims Act, the commission is a Federal agency and its members and employees are Federal employees. At the suggestion of the gentleman from Michigan, Mr. JOHN CONYERS, we have added language that makes it clear that by acting explicitly in this case we will not by implication affect the FTCA's status of any other commission.

As it does in all FTCA cases, the Department of Justice will still make the determination of whether the particular conduct at issue is within the scope of employment. Thus, members and employees of the commission will not receive any special treatment; rather, they will receive the same treatment as all other Federal employees. This treatment will apply equally to all members and employees of the commission. The members and employees should not have to put their personal assets at risk in order to serve their country. For that reason, I urge the house to suspend the rules and pass the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I agree with what the gentleman from Illinois [Mr. HYDE] has said about this bill. I do feel constrained to point out that I think these are unnecessary Federal employees doing an unnecessary job. I still do not understand why the Federal Government thinks the States cannot handle this. But as long as we have set up this commission, over my objection, there is no reason to immunize these commissioners.

The Federal Tort Claims Act is a perfectly sensible approach. I have to say it is unlikely that any of the commissioners are going to get sued. I am not sure for what. I do not think counting cards at a casino where they play blackjack is a suable offense. But in case it is, if the commissioners are sued for tortious interfering with other people's gambling, they will be able to defend themselves under the Federal Tort Claims Act. This seems to me a